FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION No. 5659/2007

(Habibkhan Bhurekhan Pathan & others **Versus** The Nagpur Municipal Corporation thro. Its Municipal Commissioner)

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. Jain, counsel for the petitioner.
Mr. Puranik, counsel for the respondent.

CORAM :D.D. SINHA AND
SMT. VASANTI A. NAIK, JJ.

DATED : DECEMBER 20, 2007.

Heard the learned counsel for the parties.

The counsel for the petitioner states that in the present petition, grievance of the petitioner is in respect of non allotment of space/shop by respondent no.2 Corporation to the petitioner for the purpose of running the business, where the petitioners were permitted to run their business earlier.

Mr. Puranik, the learned counsel for the Nagpur Municipal Corporation, on instruction from the Corporation, states that the names of the petitioners are already on the list of persons to whom the shops/space would be allotted. However, the criteria adopted by the Corporation is first come first serve. If the petitioners, in view of this criteria,

are eligible, their prayer for allotment of space/ shops would be considered.

In view of the statement made by the counsel for the Corporation, the cause of action in the present petition does not survive. Hence, the writ petition is disposed of.

JUDGE **JUDGE**

APTE